



## Office of the City Clerk BOARDS, COMMITTEES & COMMISSIONS

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### BOARD OF ADJUSTMENT

#### CREATED BY:

Tucson Code, § 23-505 et. seq.; Ordinance No. 8509 repealed the Zoning Code and adopted the **Land Use Code** as Chapter 23, adopted by Mayor and Council on May 22, 1995 to become effective July 1, 1995. See Article V, Division 1, 5.1.7 Board of Adjustment (B/A)

#### MEMBERS:

Seven members. Each member of the City Council appoints one member who must be a resident of the appointing Council Member's ward. The Mayor appoints one member who must be a resident of the city. Should an appointment not be made within thirty days of the date the position becomes vacant, the appointment can be made by a majority vote of the Mayor and Council.

An appointment to fill an unexpired term shall be for the unexpired portion of the term.

#### QUORUM:

Four members of the Board present at a meeting constitute a quorum.

#### QUALIFICATIONS:

No member of the Board of Adjustment is to hold any city, county, or state elective office or be a permanent employee of the City while a member of the Board of Adjustment.

#### TERMS OF OFFICE:

The term of each member of the Board of Adjustment is coterminous with the term of the appointing Mayor or Council Member or until a successor is appointed. Members are eligible for reappointment but in no event shall serve more than eight continuous years. After the eight continuous years of service, a member becomes eligible for reappointment after a break in service of one year.

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A member may be removed with cause prior to the expiration of the member's term by a majority vote of the Mayor and Council. A member who misses four consecutive meetings for any reason or fails to attend for any reason at least forty percent of the meetings held in one calendar year is automatically and immediately removed as a member of the Board of Adjustment.

**EXEMPT FROM TCC 10A-134:** No

#### **FUNCTIONS:**

Established to hear and decide requests for variances from ***Land Use Code (LUC)*** regulations, appeals of Zoning Administrator's interpretations, and other land use issues as provided by the LUC. The Board of Adjustment serves in the capacity of a board of adjustment as provided by the ARS.

#### **OPEN PUBLIC MEETING LAW REQUIREMENTS:**

This public body must comply with all of the provisions of the Open Public Meeting Law including provisions requiring that a record of all meetings be maintained. The Development Services Department shall keep public records of the Board of Adjustment's hearings, findings, and decisions.

**BCC TERMINATION REQUIREMENTS:** This is an on-going board.

#### **SUPPORTING DEPARTMENT(S):**

Development Services

837-4920 \*